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BAKKEN LAW FIRM
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KIMBERLY J. HUSTED

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In re:

RUPINDER K. DAIL,

Debtor.

NO: 20-21464-C-7

DC No.: BLF-003

**FIRST AND FINAL APPLICATION FOR
COMPENSATION OF LORIS L. BAKKEN OF
BAKKEN LAW FIRM, COUNSEL FOR
CHAPTER 7 TRUSTEE KIMBERLY J.
HUSTED**

Date: March 10, 2021

Time: 10:00 a.m.

Place: Department C

The Honorable Christopher M. Klein

Applicant Loris L. Bakken of the Bakken Law Firm ("Bakken"), counsel of record for Chapter 7 Trustee Kimberly J. Husted, respectfully submits this first and final application for compensation for legal services rendered and costs incurred of **\$7,331.85** (legal fees of \$7,290.00 and costs of \$41.85) for the period of May 13, 2020, through and including February 24, 2021, pursuant to 11 U.S.C. § 330 and Federal Rule of Bankruptcy Procedure 2016. (Bakken Decl., ¶ 2, Ex. A).

Loris L. Bakken is authorized to practice law in the State of California and before this Court. (Bakken Decl., ¶ 2, Ex. B). The order authorizing Bakken's employment in this case was entered on June 2, 2020, effective May 13, 2020. There was no agreement by Bakken or any of its members or employees to share the compensation requested with any other person.

1 (Doc. No. 22; Bakken Decl., ¶ 3, Ex. C). Bakken spent a total of 24.3 hours in this matter as
2 follows:

3 Loris L. Bakken, Esq.; admitted to California State Bar in 2001;
4 24.3 hours at \$300.00 per hour.

5 **I.**

6 **NARRATIVE DESCRIPTION OF SERVICES PERFORMED**

7 A. Overall Summary.

8 The Debtor filed this case on March 11, 2020, and Kimberly J. Husted is the Chapter 7
9 Trustee. (Doc. No. 1).

10 Bakken provided legal advice and rendered legal services to Ms. Husted regarding
11 general case administration and strategies on how to handle property of the estate and assisted
12 Ms. Husted in the investigation of ownership and valuation of property of the estate. (Bakken
13 Decl., ¶¶ 4-5).

14 B. Detailed Description of Legal Services Rendered.

15 1. General Case Administration.

16 Bakken spent 4.1 hours on general case administration. This time included preparing
17 Bakken's fee agreement and employment application, reviewing and extending deadlines to
18 object to exemptions and to file a complaint objecting to the Debtor's discharge, and preparing
19 Bakken's fee application. Bakken anticipates attending the hearing on the fee application by
20 telephone. (Bakken Decl., ¶ 4).

21 2. Investigation of Ownership and Valuation of Property of the Estate.

22 On March 11, 2020, the Debtor filed a petition with no schedules. On March 25, 2020, the
23 Debtor filed schedules in which the Debtor disclosed assets including, without limitation, her
24 residence, 4 vehicles, a bank account, a 401k retirement account, a 457 retirement account, and
25 term life insurance. In addition, the Debtor disclosed a pending divorce action filed February 1,
26 2019. (Doc. No. 14).

27 Ms. Husted requested that the Debtor provide copies of all divorce documents, which she
28 did. At Ms. Husted's request, Bakken reviewed the documents and discussed them with

1 Ms. Husted. The documents revealed numerous assets that the Debtor had failed to disclose in
2 her schedules including the fact of the Debtor's having inherited funds from her mother's probate
3 estate and transferring real property to her sister prepetition. (Husted Decl., ¶ 3; Bakken Decl.,
4 ¶ 5).

5 In addition, Bakken attended the Section 341 meeting of creditors and questioned the
6 Debtor regarding the assets missing from her schedules. Following the meeting, Bakken
7 discussed with Debtor's counsel, Jeffrey Meisner, the need for amended schedules. In addition,
8 Bakken had several communications with Mr. Meisner regarding her request for additional
9 documents and information regarding the Debtor's mother's probate as well as the prepetition
10 transfer of real property to the Debtor's sister, which the Debtor provided. (Bakken Decl., ¶ 5).

11 Bakken reviewed the documents and information regarding the Debtor's mother's probate
12 and the Debtor's prepetition transfer of real property to her sister and discussed them with
13 Ms. Husted. Ultimately, Ms. Husted determined that the Debtor's mother's home was the primary
14 asset in the Debtor's mother's probate estate, and that the Debtor and her sister, the heirs, sold
15 the property for fair market value. Thus, these assets were not property of the estate and there
16 was not an avoidable transfer to pursue. (Husted Decl., ¶ 4; Bakken Decl., ¶ 5).

17 On July 6, 2020, the Debtor filed amended schedules and added several vehicles,
18 furniture, electronics, clothing, jewelry, an estimated 2019 tax return, an interest in the royalties
19 from a film, and pets. In addition, the Debtor disclosed financial accounts with Ryan Wealth
20 Management ("RWM") totaling \$52,634.88 and, at Ms. Husted's request, provided documents
21 regarding the accounts. The Debtor did not claim the RWM accounts exempt. (Husted Decl., ¶ 5;
22 Doc. No. 27).

23 At Ms. Husted's direction, Bakken reviewed the ownership and values of the assets
24 disclosed in the amended schedules and compared the information with that provided in the
25 divorce documents and discussed at length with Ms. Husted. (Bakken Decl., ¶ 5).

1 The deadline to file claims passed on July 20, 2020, and the total claims filed is
2 \$29,103.04.

3 Thus, Ms. Husted determined that the \$52,634.88 in the RWM account would be sufficient
4 to pay all claims and administrative expenses. At Ms. Husted's direction, Bakken discussed this
5 with Mr. Meisner and requested Debtor's cooperation in the turn-over. Ms. Husted contacted
6 RWM and demanded turnover of the funds; however, RWM required Ms. Husted to complete
7 several documents and required Debtor's authorization to release the funds to Ms. Husted.
8 Ms. Husted and Bakken made multiple requests to Mr. Meisner to provide the required
9 authorization to RWM to avoid the need for a motion to compel turnover that would create
10 unnecessary administrative expense and diminish the possibility of a surplus for the Debtor.
11 Eventually, RWM received the necessary authorization and released the funds to Ms. Husted.
12 (Husted Decl., ¶ 6; Bakken Decl., ¶ 6).

13
14 Bakken discussed with Mr. Meisner's colleague, William McLaughlin, the status of the
15 case and counsel's continued representation of the Debtor. (Bakken Decl., ¶ 6).

16 Bakken spent 20.2 hours in connection with these tasks.

17 **II.**
FUNDS HELD BY THE ESTATE

18 Ms. Husted is holding approximately \$50,600.00. No other recoveries are anticipated and
19 the estate is in a position to close. (Husted Decl., ¶ 7).

20 **III.**
DETAILED DESCRIPTION OF COSTS

21 Bakken's costs are **\$41.85**, as follows:

<u>ITEM</u>	<u>AMOUNT</u>
Postage	\$23.75
Copying (\$0.10 per page)	\$18.10
TOTAL COSTS	\$41.85

26 These costs were actual and necessary and are billed consistently with the practices and
27 procedures of this Court. (Bakken Decl., ¶ 7).

1 IV.
2 **DISCLOSURE OF PRIOR FEES**

3 Bakken has not applied for or received compensation in this case. (Bakken Decl., ¶ 8).

4 V.
5 **CONCLUSION**

6 Loris L. Bakken respectfully requests that the Court grant this first and final fee
7 application, authorize payment to Bakken in the amount of **\$7,331.85** (legal fees of \$7,290.00
8 and costs of \$41.85) for the period of May 13, 2020, through and including February 24, 2021,
9 pursuant to 11 U.S.C. § 330, and that it grant such further and other relief as may be just and
proper.

10 Dated: January 17, 2021

BAKKEN LAW FIRM

11 By: /s/ Loris L. Bakken
12 LORIS L. BAKKEN
13 Attorneys for Chapter 7 Trustee
14 KIMBERLY J. HUSTED
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